

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

JOHN WILLIAM O'CONNOR

Debtor

CASE NO. 3:13-04514-JAF
CHAPTER 11

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection within thirty (30) days from the date this paper is entered on the docket. If you object to the relief requested in this paper, you must file your objection with the Clerk of the Court at 300 N. Hogan Street, Suite 3-350, Jacksonville, Florida 32202-4267, and serve a copy on the movant's attorney, William B. McDaniel, Esq., 1710 Shadowood Lane, Suite 210, Jacksonville, Florida 32207.

If you file and serve this objection within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

DEBTOR'S OBJECTION TO CLAIM SIX, FILED BY COMPASS BANK

COMES NOW, John W. O'Connor (the "Debtor"), by and through his undersigned counsel, pursuant to 11 U.S.C. §502 and Bankruptcy Rules 3003 and 3007 and hereby files his Objection to Claim Six filed by Compass Bank ("Creditor"). In support of the Objection, the Debtor would show unto the Court as follows:

1. On July 23, 2013 (the "Petition Date"), the Debtor filed a voluntary petition for Reorganization pursuant to Chapter 11 of Title 11, United States Code (the "Bankruptcy Code").
2. On September 6, 2013, Creditor filed a secured claim totaling \$198,885.18 [Claim No.: 6-1] (the "Claim").

3. Creditor asserts its Claim is secured by real property of the debtor more particularly described as: 1462 River Lane, Green Cove Springs, Florida 32043 ("River Lane").
4. River Lane was sold at a foreclosure sale on June 20, 2013, see Clay County Foreclosure Case 2011-CA-001008, prior to the Petition Date.
5. Creditor is not entitled to a secured claim as the Property is not owned by the Debtor.
6. Additionally, Creditor is not entitled to an unsecured claim as any amount asserted to be owed is both unliquidated and contingent.

WHEREFORE, the Debtor hereby petitions this Court to grant its objection to Creditor's Secured Claim Six in its entirety.

Dated this 17th day of January 2014.

LANSING ROY, P.A.

/s/ William B. McDaniel
Christopher R. DeMetros, Esquire
Florida Bar No. 0863467
Kevin B. Paysinger, Esquire
Florida Bar No. 0056742
William B. McDaniel, Esquire
Florida Bar No. 0084469
Attorney for Debtors
1710 Shadowood Lane, Suite 210
Jacksonville, FL 32207
(904) 391-0030

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Objection to Claim was furnished to the following parties on the 17th day of January, 2014 by United States first-class mail or by electronic notification:

Ascension Capital Group
Attn: Marian Garza
PO Box 201347
Arlington, TX 76006

Miriam G Suarez
United States Trustee
400 W. Washington St.
Suite 1100
Orlando, Florida 32801

Compass Bank
PO Box 201347
Arlington, TX 76006

LANSING ROY, P.A.

/s/ William B. McDaniel
Christopher R. DeMetros, Esquire
Florida Bar No. 0863467
Kevin B. Paysinger, Esquire
Florida Bar No. 0056742
William B. McDaniel, Esquire
Florida Bar No. 0084469
Attorney for Debtors
1710 Shadowood Lane, Suite 210
Jacksonville, FL 32207
(904) 391-0030